

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

TRENT LOTT & TRICIA LOTT

PLAINTIFFS

VERSUS

CIVIL ACTION NO. 1:05CV671-LTS-RHW

STATE FARM FIRE & CASUALTY CO., et al

DEFENDANTS

**ORDER**

Before the Court are the following motions: Plaintiffs' [14] Motion and [18] Amended Motion for Discovery and to Take Depositions of Certain State Farm Employees; and Defendants' [28] Motion to Stay Discovery.

This case is set for a telephonic case management conference on June 5, 2006. Consequently, the parties are required to conduct an attorney conference no later than May 15, 2006, in compliance with Fed. R. Civ. P. 26(f). Due to the fact that discovery is set to commence in the very near future, the Court finds that Plaintiffs' Motions to begin early discovery should be denied.

In an [27] Order dated April 6, 2006, the Court previously quashed Plaintiffs' subpoenas of State Farm witnesses. Plaintiffs have expressed concern that State Farm employees might leave the State of Mississippi. Counsel for Defendants assured the Court that State Farm employees would be made available for depositions. Based on these assurances and based on the fact that discovery is set to commence shortly, the Court finds that the Motions to conduct depositions should be denied.

Meanwhile, Defendants filed a Motion to Stay all discovery pending a ruling on their Motion to Dismiss. Defendants argue that discovery would be a waste of time and resources if

the Court eventually grants the Motion to Dismiss. The Court finds that this Motion should be denied.

IT IS THEREFORE ORDERED AND ADJUDGED that Plaintiffs' [14, 18] Motions for Discovery and Depositions are DENIED.

IT IS FURTHER ORDERED that Defendants' [28] Motion for a Stay is DENIED.

SO ORDERED, this the 15th day of May, 2006.

s/ Robert H. Walker  
UNITED STATES MAGISTRATE JUDGE